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VIA ECF AND EMAIL

Cameron S. Reuber
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The Honorable Cathy S. Seibel
United States District Judge, S.D.N.Y.
300 Quarropas Street
White Plains, New York 10601
chambersnysdseibel@nysd.uscourts.gov

Re: *The Wave Studio, LLC v. General Hotel Management Ltd., et al.*,
Civil Action No. 13-cv-09239 (CS) (SDNY)

Dear Judge Seibel:

We represent Plaintiff The Wave Studio, LLC in the above-referenced civil action. We write pursuant to Your Honor's Individual Rules to request a pre-motion conference seeking a stay of proceedings so as to enable Plaintiff to secure replacement counsel due to a conflict of interest. As the Court is aware, Plaintiff commenced a separate copyright infringement suit against Mastercard International Inc. ("Mastercard") in California prior to that matter being transferred to New York. That case, Civil Action No. 14-cv-08322-CS, is currently pending before Your Honor, with a motion *sub judice* to combine that case with this one. Plaintiff's counsel of record in the transferred case is Cobalt LLP. Mastercard has alerted us to a potential conflict of interest regarding our firm's continued representation of Plaintiff in this case and, upon receipt of same, we agreed to withdraw. Notice of our intent to withdraw has been given to GHM (the only other active litigant in this case) as well as counsel of record in the Mastercard case. Plaintiff is seeking replacement counsel and we remain prepared to withdraw and transfer our casefile as soon as Plaintiff retains new counsel. A stay is necessary because case deadlines remain active (*e.g.*, discovery is scheduled to end soon), but our firm is unable to further counsel Plaintiff due to the Mastercard conflict. Currently, the parties have exchanged paper discovery, but not yet taken any testimony.

The parties have conferred regarding the prospect of a stay and our firm has tried to work with opposing counsel to resolve this issue to everyone's satisfaction, however, the focus of opposing counsel is geared toward obtaining tactical advantage by creating new disputes rather than resolving existing ones. This places Plaintiff in an untenable position whereby judicial intervention is warranted as Plaintiff merely requires time to change counsel and proceed with its case.

Wherefore, based on the foregoing, we respectfully request an opportunity to confer with Your Honor regarding a stay of proceedings so as to allow Plaintiff to obtain replacement counsel. If you have any additional questions regarding this application, please do not hesitate to contact me.

Very truly yours,



Cameron S. Reuber

cc: All Counsel of Record via ECF